

REMARKS

Claims 13-26 are pending in this application. By this Amendment, claims 13-26 are amended. Claims 13-26 are amended to further clarify the features being claimed. Support for the amendments to claims 13-25 can be found at least in Figures 5 and 6, and support for the amendments to claim 26 can be found at least in Figure 7. No new matter is added by the above amendments. In view of at least the following, reconsideration and allowance are respectfully requested.

I. Personal Interview

Applicants appreciate the courtesies shown to Applicants' representative by Examiners Storey and Poon in the April 17, 2008 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

II. Claim Objection

The Office Action objects to claim 26 for allegedly not particularly pointing out and distinctly claiming the subject matter being claimed. This objection is respectfully traversed.

By this Amendment, claim 26 is amended to recite, in part, "a fourth determining unit that determines whether the facsimile-forwarding destination selected by the selection unit is at least one of the destination specified by the facsimile-forwarding instruction and the destination corresponding to the senders registered by the registering unit." Applicants respectfully submit that support for claim 26 can be found at least in Figure 7.

Accordingly, withdrawal of the objection is respectfully requested.

III. Claim Rejections under 35 U.S.C. §112, first paragraph

The Office Action objects to claims 16, 22, 25 and 26 under 35 U.S.C. §112, first paragraph as allegedly failing to comply with the written description requirement. These rejections are respectfully traversed.

Claims 16 and 22

By this Amendment, claims 16 and 22 are amended to further clarify the feature that "a time-specified forwarding control unit that conducts the facsimile-forwarding of the facsimile data converted by the converting unit to the facsimile-forwarding destination after the facsimile-forwarding has been suspended, the time-specified forwarding control unit **conducts the facsimile-forwarding at the forwarding time specified by the specifying unit** when the data amount of the facsimile data converted by the converting unit exceeds the forwarding size upper size limit," as recited in claims 16 and 22 (*emphasis added*).

Applicants respectfully submit that this feature is clearly supported by the specification. Specifically, the specification discloses at least the following regarding forwarding time: "[t]he forwarding time 13 is a start time of a facsimile-forwarding when the forwarding time 13 is specified in the fax-forwarding control, and especially, is information indicating a specified time within a time zone where the communication line is not congested, and further, within a time zone where the communication cost is set to low" (page 6, lines 6-9).

Accordingly, withdrawal of the rejection is respectfully requested.

Claim 25

Applicants respectfully submit that amended claim 25 is supported by at least Figure 5 of the specification.

Accordingly, withdrawal of the rejection is respectfully requested.

Claim 26

By this Amendment, claim 26 is amended to recite, in part, "the reporting unit saves the facsimile data converted by the converting unit and sends an accumulation report to the sender of the email."

Applicants respectfully submit that amended claim 26 is supported by the specification. Specifically, Figure 7 illustrates that an accumulation report is forwarded if the document is stored.

Accordingly, withdrawal of the rejection is respectfully requested.

IV. Claim Rejections under 35 U.S.C. §102

The Office Action rejects claims 13, 14 and 16 under 35 U.S.C. §102(b) over U.S. Patent No. 5,859,967 (Kaufeld). This rejection is respectfully traversed.

Independent claim 13 recites, in part, "a setting unit that sets a **forwarding size upper limit of facsimile data** for facsimile-forwarding the email" and "a forwarding control unit that conducts facsimile-forwarding of the facsimile data converted by the converting unit to a facsimile-forwarding destination specified by the facsimile-forwarding instruction when the facsimile data converted by the converting unit does not exceed the **forwarding size upper limit** set by the setting unit" (*emphasis added*).

Applicants respectfully submit that Kaufeld fails to disclose an image communication apparatus that includes at least a setting unit that sets a forwarding size upper limit of the facsimile data for facsimile-forwarding an email and a forwarding control unit that conducts facsimile-forwarding if converted data does not exceed the forwarding size upper limit set by the setting unit, as described in claim 13.

In contrast, Kaufeld discloses that "[i]f the email message is determined to have originated from an authorized user and also contains a valid stamp, **a counter is decreased by one**. The counter is then checked to see if it is equal to zero. If it is, this stamp is cancelled, meaning that it is no longer a valid authorization code and cannot be used for this account again" (*emphasis added*, col. 2, lines 16-22).

Kaufeld fails to disclose each and every element recited in claim 13. Therefore, Kaufeld does not anticipate at least the above-recited features of claim 13.

Claims 14 and 16 depend from claim 13. Because, Kaufeld fails to anticipate at least independent claim 13, dependent claims 14 and 16 are allowable at least for the reasons that claim 13 is allowable, as well as for the additional features they recite.

Accordingly, withdrawal of the rejection is respectfully requested.

V. Claim Rejections under 35 U.S.C. §103

The Office Action rejects claim 15 under 35 U.S.C. §103(a) over Kaufeld in view of U.S. Patent No. 5,442,457 (Najafi); rejects claim 17 under 35 U.S.C. §103(a) over Kaufeld in view of U.S. Patent No. 6,982,803 (Eguchi); rejects claims 18-20, 22, 24 and 25 under 35 U.S.C. §103(a) over Kaufeld in view of U.S. Patent No. 6,211,972 (Okutomi); rejects claim 21 under 35 U.S.C. §103(a) over Kaufeld in view of Okutomi and further in view of Najafi; rejects claim 23 over Kaufeld in view of Okutomi and further in view of Eguchi; and rejects claim 26 under 35 U.S.C. §103(a) over Kaufeld in view of Okutomi and Eguchi and further in view of U.S. Publication No. 2004/0128207 (Ray). These rejections are respectfully traversed.

Independent claim 19 recites, in part, "a setting unit that sets a **forwarding size upper limit of forward data** for conducting facsimile-forwarding of an email" and "a forwarding control unit that conducts facsimile-forwarding of the facsimile data converted by the converting unit to a facsimile-forwarding destination corresponding to the senders registered by the registering unit when the facsimile data converted by the converting unit **does not exceed the forwarding size upper limit** set by the setting unit" (*emphasis added*).

Independent claim 25 recites, in part, "a setting unit that sets a **forwarding size upper limit of facsimile data** for facsimile-forwarding email" and "a forwarding control unit that conducts facsimile-forwarding of the facsimile data converted by the converting unit to a facsimile-forwarding destination selected by the selection unit when the facsimile data

converted by the converting unit **does not exceed the forwarding size upper limit** set by the setting unit" (*emphasis added*).

For the reasons discussed above, Kaufeld does not disclose or establish any reason to provide at least a setting unit that sets a forwarding size upper limit and a forwarding control unit that conducts facsimile-forwarding if the converted facsimile data does not exceed the forwarding size upper limit set by the setting unit, as described in claims 19 and 25.

Najafi, Eguchi, Okutomi and Ray, individually or in any combination, fail to provide the above-recited subject matter missing in Kaufeld. Therefore, Kaufeld, Najafi, Eguchi, Okutomi and Ray, individual or in any combination, fail to render obvious the subject matter recited in independent claims 19 and 25.

Claims 15, 17, 18, 20-24 and 26 variously depend from claims 19 and 25. Because, the applied art references fail to render obvious the subject matter recited in independent claims 19 and 25, dependent claims 15, 17, 18, 20-24 and 26 are allowable at least for the reasons that claims 19 and 25 for allowable, as well as for the additional features they recite.

VI. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Petition for Extension of Time
Request for Continued Examination

Date: June 23, 2008

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